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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the Application of

Inventor: Akihiko NISHIO et al.

Group Art Unit: 2618

Appln. No.: 10/528,120

Examiner: J. Young

Filed: March 16, 2005

Conf. No. 8910

For: METHOD FOR CONTROLLING TRANSMIT POWER AND BASE STATION  
APPARATUS

RESPONSE UNDER 37 CFR § 1.111

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

In response to the Office Action dated January 1, 2008, the Applicants respectfully request reconsideration and allowance of this application in light of the following remarks.

Claims 2-6 and 8-11 stand rejected, under 35 USC §103(a), as being unpatentable over Kwak et al. (US 2004/0014482) in view of Takano et al. (US 2002/0187786). Claim 7 stands rejected, under 35 USC §103(a), as being unpatentable over Kwak in view of Kumar et al. (US 6,434,367). The Applicants respectfully traverse these rejections.

Kwak has a U.S. filing date of May 2, 2003, which is antedated by the Applicants' foreign priority date of September 19, 2002. Applicants filed, on September 12, 2006, an English translation of their Japanese priority document with a statement that the translation is accurate. It is believed that claims 2-11 are supported by the priority application.